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Attorneys for Plaintiff,  
SMART MEMORY SOLUTIONS, LLC

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SMART MEMORY SOLUTIONS, LLC  
Plaintiff,  
v.  
TOSHIBA AMERICA ELECTRONIC  
COMPONENTS, INC.,  
Defendants.

Case No. 3:12-cv-01549-EMC

**JOINT STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE ; ORDER**

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Civil L.R. 6-2, the parties hereto stipulate to this joint request for a continuance of the Initial Case Management Conference. The Initial CMC is currently set for July 20, 2012, (with the deadline for filing a

1 Case Management Report set for July 13, 2012). The parties request that the Initial CMC be  
2 continued to August 24, 2012, or such date thereafter as may be convenient for the Court.

3 In support of this stipulated request, the parties state as follows:

- 4 1. On June 26, 2012, the Court acted *sua sponte* (see Dkt. No. 82) to relate this case to  
5 two other cases pending in this District: (a) *Smart Memory Solutions, LLC v.*  
6 *Panasonic Corporation of America, et al.*, Case No. 3:12-cv-00853-EMC (see Dkt.  
7 No. 87 in that case); and (b) *Smart Memory Solutions, LLC v. Freescale*  
8 *Semiconductor, Inc.* (see Dkt. No. 93 in that case). All three cases are now assigned  
9 to Judge Chen, and all are now set for an Initial CMC on July 20, 2012.
- 10 2. This case and the above-mentioned *Freescale* case were, until reassignment, both set  
11 for Initial CMC on a later date.
- 12 3. Counsel for all three cases have conferred regarding the new unified CMC date on  
13 July 20, 2012. The parties believe that it will be beneficial if they are permitted time  
14 to coordinate amongst themselves, with respect to any common issues, now that the  
15 three cases are deemed related. In addition, particularly with respect to the instant  
16 *Toshiba* case and the *Freescale* case, which were both previously set for a later CMC  
17 date, the parties believe that these proceedings will benefit if the parties are permitted  
18 additional time to meet-and-confer thoroughly with respect their Joint Case  
19 Management Conference statements, Rule 26(f) requirements and ADR requirements.  
20 (Declaration of Daniel M. Shafer, filed herewith.)
- 21 4. After the currently-scheduled CMC date, the first upcoming date that is available for  
22 both the Court and for counsel for the parties in all three cases is August 24, 2012.
- 23 5. There have been no previous time modifications of the Initial CMC date in this case,  
24 except as effectuated by the Court's recent reassignment of the case from Judge  
25 Hamilton to Judge Chen, and by a prior reassignment from a Magistrate judge to  
26 Judge Hamilton.
- 27 6. The requested modification will have no effect on any other scheduled dates.
- 28

1           WHEREFORE, the parties request that the Initial Case Management Conference in this  
2 case be reset for August 24, 2012; that the related deadlines for filing a joint CMC statement and  
3 serving Initial Disclosures be adjusted accordingly, to August 17, 2012; and that the related  
4 deadlines for meeting and conferring under Fed. R. Civ. P. 26(f), and for filing an ADR  
5 Certification and ADR Stipulation (or Notice of Need for ADR Phone Conference) also be  
6 adjusted accordingly, to August 3, 2012.

7  
8 Agreed to by:

9  
10 Dated: July 10, 2012

/s/ Daniel M. Shafer  
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Counsel for Plaintiff,  
SMART MEMORY SOLUTIONS, LLC

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20 Dated: July 10, 2012

/s/ Carrie L. Williamson  
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TOSHIBA AMERICA ELECTRONIC  
COMPONENTS, INC.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2  
3 Hon. Edward M. Chen

